

A SHORT
HISTORY

Of ALL the

Parliaments of ENGLAND,

In all REIGNS.

SHEWING,

The Use they have made of their
Parliamentary Power, their Principles,
Politicks, Conduct, &c. and particularly
the Extraordinary Laws they have Enac-
ted for Government of the Kingdom.

Necessary to be Perus'd by

All Members of the Late and Present Par-
liament, and others who are Lovers of
their Country.

L O N D O N.

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To the RIGHT HONOURABLE
F R A N C I S
Lord GUILFORD.

MY LORD,



AMONGST the real Satisfactions attendant on Authors, that of Dedicating their Writings to Men Eminent for their Honour, Generosity, Virtue, Zeal, and Abilities for their Country's Service, is undoubtedly the Greatest.

On all these Accounts, the World will confess, I have made a judicious Choice of your Lordship for my Patron. Your being one of the PROTESTING LORDS, upon the many Occasions during the Last Parliament, is an Honour sufficient to your Lordship; and abundantly convincing that your Principles and Politicks are commendably Virtuous: And if Immortal Fame be the Great Reward of Great and Commendable Actions, there is no Room to doubt but it will be your Lordship's.

*I am bold in Addressing my Labours to
your*

your Lordship, because I am well satisfied of your Lordship's Candor ; and that you wish no Ill but Prosperity to Great Britain, and its HONEST PARLIAMENTS: My Pretensions to a Liberty of this Kind, next to my being a Relation of a Reverend Divine who was many Years Chaplain to your Lordship's Excellent Father, the Lord Keeper Guilford, are wholly grounded upon your Lordship's Goodness.

In the following Pages, I have every where endeavour'd to be Impartial in my Enquiries, and what I have communicated: Here your Lordship will see what All the Parliaments of England, in all Reigns from their first summoning to this Time, have done for the Kingdom ; and that some of them might have behaved themselves in a Manner less Blameable, I presume we have the Strongest and most Lively Testimonies.

The Actions of the Bad ought not to be Examples for the Time to come, but those of the Good to be only Imitated ; and as an Instruction of this Nature, was my principal Motive to this Undertaking, so I am to hope That alone will Justify me and my Conduct to your Lordship. I am with great Esteem,

My LORD,

Your Lordship's most Humble,

Most Obedient, and

Devoted Servant,



A SHORT
HISTORY
Of ALL the
Parliaments of ENGLAND.

THERE is nothing can be more curious, in the *English* History, than the Transactions of our Parliaments, particularly of the Commons, who are the Guardians of the Liberties of the People of *England*. It is the Commons of *England*, who have always made a Stand against Arbitrary Power: 'Tis by their Means, our weak and Tyrannical Governors have been kept within due Bounds, the Succession of the Crown has, in many Reigns, been Settled; Treaties been Ratified, our Trade and Commerce extended, and the Balance of Power in *Europe* maintain'd.

Our Commons in Parliament are the great Fence of Property ; by them we are Protect-
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ed in our Rights and Privileges: 'Tis they are the Dam of Liberty; and we cannot have an Inundation of Mischief, so long as we have in Being a *British* Parliament.

But I do not mean by a *British* Parliament, a Pensioner Parliament, a Rump Parliament, or a Parliament made by Bribery: These are not to be call'd *British* Parliaments, because they are chosen not by the People, but by Money; And we have never known our Liberties in Danger, but when our Parliaments have been made by some other Means than the Choice of the People.

A Parliament we had lately, has sufficiently evidenced this Truth. We should not have had so many extraordinary Laws made by the last Parliament, if the last Parliament had not been made by extraordinary Methods: And the great Objection to their Conduct, is no other Way to be answer'd, by their Friends, than the Necessity of it.

But great is the Unhappiness of that Country, wherein Necessity is made a Plea for general Ruin; and Destruction is to be bought and sold in the Markets of Kingdoms. I hope this will not be our Case in any future Times: Nay, it must not be, while any *English* Spirit is remaining.

There cannot be a Pretence for Necessity, on any Account, but where it has an apparent and undoubted Tendency to the Publick Benefit. No Man can justify the

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robbing another of his Goods and Possessions, by saying he wanted them for his own Support; and tho', by a humane Construction of our ancient Laws, a poor wretched Person was not, in Times past, to be Sentenc'd to die for stealing of Victuals merely to satisfy his Hunger, yet we seldom find that any Pretence of Necessity will excuse such a Criminal from an untimely Exit.

For if this Pretence of Necessity were always, or ever allow'd, it would be always pleaded, and by that Means the Law be Evaded: And as to Robbery of the Publick, can we easily guess, where it would end, should it still have Continuance? Will any Fortune, or any Power, satisfy some Men? I think, it is plain by many late Occurrences, they will not.

Since therefore Necessity is in no Case to be allow'd as a Plea for ill Actions, let us examine a little into the other Reasons that may be given for the Corruption of our Parliaments in general.

The greatest of these Reasons, I take to be the Pursuit after Titles and Honours; not to mention particularly Places and Preferments. When a Man has got Possession of a plentiful Fortune, at the Expence of the Publick, his next Ambition is Promotion to the Peerage. He wants no longer to Represent the People he has Plunder'd and abus'd, but to Represent himself, and secure himself some Respect from that World, which other-

wife would despise him : He'll then have *Scandalum Magnatum* on his Side ; and those who dare to reproach him with his Crimes, it will be in his Power to Punish and Silence.

Besides, it is a very fine Thing to have a *British* Coronet : With an ambitious Man, it is worthy all Endeavours, tho' never so criminal ; and there is not an Action so black or so horrid that some Persons would not perpetrate, to Lord it over their Fellow-Creatures.

But as these Instances, I hope, are few, I shall not descant on the numerous Mischiefs which might possibly arise from thence : Our Commons are not, at this Time, ambitious of Titles and Honours, and if they were devoted to them, we have a Prince on the Throne so just to his People, as not to make Crimes a Step to Nobility.

Next to Avarice and Ambition, (those inseparable Companions to Ill Men) there is nothing so much contributes to the Miscarriages of Parliaments, as the Acceptance of Pensions. A Pension is an extraordinary Bribe ; a Reward not for speaking, but often to prevent it. It is generally contrary to all other Bribes ; for other Bribes something is to be done by the Persons who receive them ; here, nothing is to be done by those that are bribed : They are ty'd down by Money to make no Opposition, and to permit what is never so derogatory to their Principles, and the Interest of the People, to be enacted in-
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to a Law : They, by Silence, consent to, and as it were sign and seal the Fate of their Country.

A Pensioner Parliament is a Parliament of Slaves ; and what can be expected from these Representatives but Slavery to those they Represent ? This is no more than natural to expect ; and I take it, the People of *England* are by no Means so effectually to be made Slaves, as by a Pensioner Parliament.

The Lust after Pensions springs from Ambition ; 'tis a collateral Branch from that flourishing Stock : It enables a Gentleman of a small Estate, to make a splendid Figure ; to set up Coaches and Equipages ; to enjoy his Pleasures, and his Mistresses ; to go to Masquerades, to Balls and Diversions, and all at the easy Expence of his Country's Ruin.

There is not a Mischief that does not, some Way or other, flow from Ambition. The Desire of Riches and Honours, and the Methods us'd to obtain them, are owing to Ambition. What is it gives Success to an ill Cause, makes Statesmen Traitors, and Princes Tyrants, generally speaking, but Ambition ? What is it lays Kingdoms waste, Butchers the Innocent, and gives Destruction to Liberty, but Pride and Ambition ?

In short, all the Calamities of Life are chiefly to be attributed to Pride and Ambition : And as these Vices have ever had

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Footings in this Kingdom; so it is no Wonder, that our Parliaments, in all Reigns, have in some Measure been tainted by them. 'Tis from these alone, that many bad Laws have been enacted, and great Revolutions have happen'd in the Affairs of the Publick.

Yet, where these Vices have not been predominant, we have had frequent Misconducts in the Senate, thro' other Accidents equal in Consequence, tho' not equally blameable: Such as the Crime of Negligence in Parliamentary Attendance; from whence I am confident much more Mischief has ensued, than from any Thing else that can be named after what I have enumerated.

A Man who, by Negligence, suffers a ruinous Law to be made, is next to the Pensioner; he is not the Maker of that Law indeed, but he is in some Sense the Author of it, because without his Negligence it would never have pass'd. A Man who is present, when a Murder is perpetrated, and uses not his Endeavours to prevent it, is a Criminal in the Eye of the Law: Tho' he is a Stranger to the Person assaulted, he is obliged to do what in him lies to avert the Injury: And shall our Members of Parliament, who are so far from being Strangers to us, that they are our Representatives, look on and see their Country violated, which they are in Duty bound to preserve, and not be in the highest Degree criminal? No! I think not!

not! certainly there can be no Apology for these Men.

Besides these Gentlemen, there are others guilty of a criminous Behaviour in the House of Commons, tho' few of them think so. I have often very much admir'd, that Men of Sense, of Learning, and Abilities in the Parliament, should be entirely influenc'd by a few leading Members, oftentimes of much less Understanding, tho' much more Assurance than themselves. Nothing can be a greater Scandal to our Senate than this. One would imagine, in some of our Reigns, the whole Art of Speaking, and Gift of Eloquence of our great House of Commons, that of half a Score Members excepted, were wholly confin'd to the two Monosyllables, *Yes*, and *No*.

I have known the Time, when we have not had above six Speakers in the Parliament-House, and yet this very small Number has byass'd the rest: 'Tis these that govern their numerous Brethren, and indeed the whole Kingdom; and whenever they have propos'd any Thing uncommon, it has been usually transacted to the Reproach of the whole Body.

When a Parliament is thus manag'd, the Members that compose it are like Cattle in a Team, the foremost is fat and sleek, and has a Feather on his Forehead, but the others are in Appearance in a lean Condition, and the hindmost are sure to feel the Weight of the Burden.

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Those I have mention'd are the chief Causes of the Miscarriages of our Parliaments, which I could wish were remov'd : I shall now proceed to my History of the Parliaments of *England*, from the first summoning the Commons to Parliament to this Time, and to shew the Use they have made of their Parliamentary Power.

The first Parliament of *England*, recorded by our Statutes, was that which assembled *Anno 9. Hen. III.* when *Magna Charta*, the great Charter of *English* Liberties, was made and confirm'd.

This Charter ordains, that the Church of *England* shall be Free, and her whole Rights and Privileges be maintain'd inviolable ; That the City of *London*, and all other Cities, Boroughs, and Towns, shall enjoy their antient Rights and Liberties ; That no Man shall be amerced for a small Offence, but after the Manner, and in Proportion to the Crime ; That no one shall be put to his Law on the bare Suggestion of another, but by lawful Witnesses ; That no Freeman shall be taken or imprison'd, or be depriv'd of his Freehold or Liberties, be outlaw'd, exil'd or condemn'd, but by Judgment of his Peers, and the Law of the Land ; and that no Man shall be denied Right and Justice.

These are some of the Liberties of the Subject, granted and confirm'd by *Magna Charta*, and worthy preserving to latest Posterity : They are such perhaps that no Kingdom

dom can claim but *Great Britain*; and such as are only due to its Subjects.

In this Reign, the *Charta de Foresta*, was also confirm'd, which granted to Freemen certain Privileges relating to Deer and other Game: There was likewise pass'd the Statute of *Merton*, which appoints to Women a Remedy for their Dower; and by this Statute, the Bishops in Parliament consented, that those who were born before the Marriage of their Parents should be declar'd Legitimate; but the Temporal Lords objected against it, and would not condescend that the Laws should be changed.

The other Statutes of this King were for settling the Prices of Bread and Ale; the Statute of the Pillory and Tumbrel, relating to False Weights and Measures; for the King's Farmers to account; for taking Distresses, Replevin, &c. and touching Pleas and Actions.

It was in this Reign that Taxes were granted; and that a Parliament was call'd at *Oxford*, the Proceedings wherein were of so violent a Nature, that it was stil'd *Insanum Parliamentum*, or the mad Parliament: And this Parliament chose twelve of the chief Peers of the Realm, to maintain and execute the Laws they had enacted.

This was a sufficient Cramp to the Royal Prerogative; and yet the Authority of the *English* Parliament was at this Time, in general, but very inconsiderable; being lit-

tle more than a bare Consent to what was propos'd and granted by the King: Since those Days, our Parliaments have propos'd, and our Kings consented; so great an Alteration has the Legislative Power suffer'd in this Kingdom.

In the Reign of *Edw. I.* a great many Laws were made. First, the Statute of *Westminster* 1. which ordains that the Peace of the Church shall be preserv'd; that all Persons shall be ready to pursue Felons, where a Felony is committed, by Hue and Cry; that Rape should be punish'd with Fine, and two Year's Imprisonment; and that Offenders convicted of Larceny, not exceeding the Value of 12 *d.* and others guilty of Offences not punishable with Loss of Life, were to be Bail'd out of Prisons.

That no Distress for Rent shall be driven out of the County; and no Distress or Attachment be had against any Person for a Debt he oweth not; That Waste shall not be committed by Guardians, during the Minority of Heirs, and Heirs within Age shall not marry without Consent of Guardians; That an Attaint shall be granted, in Plea of Land on false Inquests; Essoin shall be allow'd; Robbers of Parks, Fish ponds, &c. shall be punish'd by Fine and Imprisonment; and also Maintainers of Suits, Pleas, and of Quarrels, Extortions, excessive Toll; and the Crime of Slander.

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As to the last Part of this last Statute, it runs thus; "Forasmuch as there have been
" oftentimes found Devisors of Tales, where-
" by Discord hath arisen between the King
" and his People, and the great Men of the
" Realm: It is ordain'd, that from hence-
" forth none shall tell or publish any false
" News or Tales, whereby any Discord or
" Occasion of Discord, or Slander may grow
" between the King and his People, or the
" great Men of the Kingdom, on Pain of Im-
" prisonment.

This is the first Statute of *Scandalum Magnatum*, which is enlarg'd by a Statute made in the Reign of *Rich. II.* and the Use that has been made, and which is commonly made of both these Laws, I have already mention'd in my Introduction.

The other Statutes of this King, were the Statute of Enquiry of Extent of Manors; The Statute *de Officio Coronatoris*, which obliges Coroners to enquire where a Man has been kill'd, how he was slain, where, by whom, and who were present; to commit the Offender, and enquire of his Goods and Lands forfeited to the Crown: The Statute of *Gloucester*, which directs in what Actions Damages shall be recovered; That no Suit shall be brought in the King's Courts for Goods, under 40 s. Value. And if a Person kill another in his own Defence, Fighting, he shall be pardon'd: It also directs how Ap-
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peals are to be brought for Murder, within a Year and a Day, &c.

The Statute of *Mortmain* was now likewise pass'd, forbidding the Alienation of Lands to Religious Persons on Pain of Forfeiture; a great Grievance to the Church and its Priests. And also the Statute of the Exchequer, call'd the Statute of *Rutland*, by which the Bodies of Shires are to be written in Annual Rolls, Gallies to be made out, and Commissioners to be sent into Counties to enquire of the King's Debts: The Statute of *Westminster* 2. relating to Gifts in Tail; Dower of Lands; Usurpations of Advowsons; Prosecution of Servants and other Accomptants; Execution for Debt; Enquiry of Waste; Writ of Nufance, Assize, Essoin, &c. how many, and what Persons in the County, to be return'd on Juries; and to make the Crime of Rape Felony in the Ravisher.

In this Reign was made the Statute of *Winchester*, which enacts, That fresh Suit shall be made after Felons, from Town to Town, and County to County; That the Country shall answer, if Robbers are not apprehended; and that Night-Watches are to be kept: The Statute of *Westminster* 3. concerning Grants and Feoffments: The Statute of *Quo Warranto*, relating to Liberties of Franchises; of Fines, Vouchers, Waste, Consultations, &c. For the Marshal of the King's Household to hold Plea; the King's Bench to follow the King; the Inhabitants of Counties

ties to make Choice of Sheriffs, (a Privilege long since lost) a Law against Conspirators ; Escheators ; a Statute of Protection ; of Inquest ; Excommunication ; the Statute of *Ireland* ; and the 34 *Ed. I.* which ordains that the King shall levy no Tax without his Parliament.

During this Reign the Parliament of *England* began to raise its Head, a certain Demonstration of the Growth of Liberty ; for Liberty cannot increase but with the Power of the People, lodg'd in their Representatives : The King Advis'd with his Parliament in his Wars ; and declar'd to those who were about him, that it was not in his Power without Consent of Parliament to make void any Law.

And it was in this King's Time, that the Barons of the Realm, assembled in Parliament, insisted upon the Independency of the Crown of *England*, against the *Pope* and all foreign Potentates ; which gave the first Shock to the Papal Authority in the Kingdom of *Great Britain*.

The Reign of *Edw. II.* began with the Statute of *Knights* and Knight's Service : A Knight's Fee was at this Time 20 *l.* a Year ; and all Persons who had Freehold Estates of that Value, were distrain'd for Knight's Service, and obliged to bear Arms. Next to this Law, was the Statute *Articuli Cleri* made at *Lincoln* ; it contains certain Articles relating to the Church and the Clergy, particularly

cularly as to Prohibitions granted for Tithes, Laying violent Hands upon Clerks, Penance for Defamation, &c. and ordains that Distresses shall not be taken in the Highway, or the ancient Fees of the Church.

The Statute of *Sheriffs* was now also pass'd, which enacts that Sheriffs of Counties shall be assign'd by the Lord Chancellor, Treasurer, Barons of the Exchequer and the Justices; and in the Absence of the Chancellor, by the Treasurer, Barons and Justices: And that none shall be Sheriff unless he have sufficient Lands within the Shire whereof he is Sheriff, to answer the King and his People. By this Law the Privilege of Election of Sheriffs by the People ceas'd; and now it is vested in the Crown; for the Lord Chancellor at this Day makes a List of diverse Names, out of which the King appoints one for every County.

Other Ordinances, are the Statute of *York*, concerning Inquests and Plea of Land to be taken by *Nisi prius*, and Judgment thereupon; returns of Writs in Liberties to be made by Indenture between Sheriffs and Bailiffs; and Officers of Cities and Boroughs are prohibited to sell Wine or Victuals during their being in Office; but this is alter'd: The Statute of *Essoins*, which directs in what Cases Essoin will be allow'd, and in what it will not: The Statute of *Carlisle*, by which Conusors of Fines are to come personally before the Justices, that their Defects,

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(if they have any, as to Age, Idiocy, &c.) may be discern'd; and by this Law Commissions may be issued for taking a Fine in the Country.

Also the Ordinance for Bakers, Brewers, and Victuallers, directing the Assize of Bread, and Weights and Measures; the Prices of Bread and Beer to be assess'd according to the Price of Corn; Butchers selling unwholesome Meat to be punished by Amercement, and for the second Offence be set on the Pillory; and Forestallers of Markets likewise thus to be punish'd: The Statute for View of Frank-pledge, directing the several Offences, Stewards of Leets are to Enquire into, and Punish: The Statute of Homage and Fealty to Lords of Manors; and the Statute of *Prerogativa Regis*, illustrating the Prerogative of our Kings, as to Wardship of their Tenants, Primer, Seisin, &c. The Custody and Preservation of the Lands of Idiots and Lunaticks; Wreck of the Sea, Whales and Sturgeon; Escheats of Bishops; Lands of Felons attainted, wherein the King is to have Year, Day, and Waste, and afterwards the same is to be restor'd to the Lord of the Fee.

These were the Laws of this King; who was but slightly esteem'd of by both Lords and Commons: His Favourites insulted the Nobility, entic'd him to Lewdness and Debauchery, and to quit the Society of his Queen; which brought upon him many and
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grievous Troubles : And tho' his Favourites were at length Banish'd by the Parliament, all would not satisfy the disgusted People.

For a Revolution happening in the City of *London*, attended with a Civil War, the King was taken, and first put under an honourable Restraint ; afterwards he was Imprison'd ; and the Parliament adjudg'd that *Edw. II.* was no longer fit to wear the Crown of *England*, and for his Male-Administration Depos'd him, whereupon his Son was declar'd King in his Stead.

This short piece of History sufficiently shews what some of our *English* Princes have brought upon themselves by a too strict Attachment to their Favourite Ministers, when obnoxious to the People, and by the extravagant Pursuit of their Vices.

I now come to a Reign, glorious in History, that of the famous King *Edw. III.* This King confirm'd *Magna Charta* ; and the Liberties of Cities and Boroughs ; enacted that Justices should be assigned to keep the Peace in every County ; (the first Institution of Justices of Peace by Statute-Law) and declar'd that no Pardon should be granted to Offenders, in Case of Murders, but where a Man kills another in his own Defence or by Misfortune : He enacted, by Assent of the Lords and Commonalty of the Realm, That no Commandment from the King, even under his great Seal, should disturb
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or delay Justice to the Subject: That all Merchant Strangers might come into, and go out of this Kingdom with their Merchandizes: All of them excellent Laws, worthy of a great Prince, and of the greatest Advantage to the Liberties and Trade of *Great Britain*.

He also limited the Authority of Justices of Goal-Delivery, in the several Shires of *England*; and of Justices of Assise; ordain'd, That a Parliament should be holden once in every Year, and oftner if there were Occasion: Made a Law for Reversal of Outlawries; for the Apprehending and Imprisoning of Night-Walkers; and Enacted that Marshals of Prisons should not let out to Bail those committed to their Charge.

The Statute of Money was pass'd in this Reign, whereby all Persons were prohibited to convey Gold or Silver out of the Realm, without the King's Licence, on Pain of Forfeiture; and so strictly was this Law put in Force, that Hostlers of Inns had Power and were obliged by Oath to search their Guests: False Money was also prohibited by this Statute to be brought into this Kingdom. Transportation of Wool was made Felony; and no Cloths made beyond Sea were to be brought into *England*; but Cloth-Workers were invited by the King to come into his Dominions, and encourag'd by Liberties and Privileges granted them, to settle in this Kingdom, which occasion'd our

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Clothing-Trade (the great Support of the Poor of this Nation) first to Flourish and increase amongst us.

Many were the other Laws made by this King, equally tending to the publick Welfare ; his Subjects were pardon'd of Offences ; Delays of Courts to be redress'd by Parliament ; Sheriffs were to continue in their Offices but a Year, and to have the keeping of Goals ; Bushels and Weights were to be made according to the King's Standard, and sent into every County. It was enacted, That the Realm of *England* and the People thereof should not be subject to the King or Kingdom of *France* : That the Peers of the Realm and great Officers for great Offences should be tried in Parliament : And that the Judges were to take an Oath, well and truly to counsel the King, to take no Reward for doing Justice, to advise no Man where the King is Party, to maintain no Plea, and deny no Man Right, but in all Things to execute the Laws.

Persons able in Body, who had not where-withal to live, were obliged to go to Service : Foreign Merchants to buy and sell within this Realm without Disturbance ; and Staples were erected at several Towns : The Statute of Provision and *Præmunire*, declaring that the King and other Lords may Present to Benefices, and not the Bishop of *Rome* ; and that none shall sue in a Foreign Realm, where the King's Courts in this Kingdom,

dom, have Conufance : And the Statute declaring what is *Treason*, as to compafs or imagine the Death of the King, Queen, or Prince, violate the Queen's Person, levy War againft the King, counterfeit his Seal or Coin, &c. were enacted in this Reign.

In this King's Reign a Subfidy was granted by the Lords and Commons, in refpect of the Wars, and for obtaining and Maintenance of the King's Rights ; the Ninth Fleece of Sheep, and Sheaf of Corn, and the Ninth Part of Goods of Citizens and Burgeffes, were given to the Crown : But in this Infancy of Taxation, our Parliaments proceeded with very great Caution, (I could wifh they would always do fo) for they enacted that the Subfidy given fhould not be an Example to Time to come, nor prejudice the Subject ; and that all the Money that fhould be levied, fhould be expended in the Wars, for which it was granted.

And fo well was this Money applied, and fo brave were the People of *England* at this Time, that the *Engliſh* Arms were every where Victorious ; The Kingdom of *France* was conquer'd by the *Engliſh*, the *French* King and the Prince his Son, with feveral other Kings, were taken Priſoners by *Edward* the Black Prince : And for Gallantry, none of the Reigns of our *Engliſh* Monarchs ever came up to that of *Edward* III.

This glorious Reign was fucceeded with that of the unfortunate *Richard* II. It was

now enacted, that Peace should be kept, and Justice be done to all Sorts of Persons ; That Merchants might buy and sell without Interruption ; That those who publish'd false and scandalous News relating to the Peers and great Officers of the Realm should be Imprison'd, till they produced the first Authors of the Scandal.

The Laws of the Church, and the Statutes of the Realm were confirm'd ; Laws were made to prevent the Transportation of Money, and to restrain the King's Subjects from going out of the Realm without Licence, on Pain of forfeiting their Goods ; but these Prohibitions did not extend to the Nobility : It was ordain'd that no Person should enter into Lands or Tenements, but where Entry is given by Law, and in a peaceable Manner, without Force : That Accounts in the Exchequer should be more speedily determin'd than they had been in Times past : That Persons summon'd to the Parliament should give their Attendance or be Punish'd ; and Sheriffs make Returns.

Actions of Debt, Accompt, &c. by a Law made in this Reign, were to be commenc'd in the County where they arise, and the Contracts were made : Aliens prohibited to purchase any Benefice of the Church within this Realm, or to occupy the same : Officers in the Government to be appointed not for Reward, but Desert : The Authority of the Constable and Marshal, and of the Lord High

High Admiral of *England* were declar'd; the Admiral's Jurisdiction extends to any Thing done upon the Sea; and the Constable hath Conusance of Contracts relating to Arms and War out of the Realm, and others within the Realm, which cannot be tried by the Common Law.

A Subsidy was in this Reign given for keeping of the Sea: Several Persons were attainted of High-Treason for rebelling against the King; and others were pardon'd by Acts of Indemnity: A Commission was granted by this King to certain Noblemen to Enquire of and Reform the Abuses in the Realm; they had Power to survey and examine the State of the King's House, Courts and Palaces, all his Officers and Ministers, Rents, Revenues, Gifts, Grants, Alienations, Money, Bullion, Prisoners and Towns taken in War, Customs, Subsidies, all Receipts, Rewards, Patents, &c. But this Commission was afterwards repeal'd, as being obtain'd by Threats and Constraint of the King; and it was declar'd, that no such Commission should be hereafter granted.

Impeachments in Parliament were now very frequent, and the Innocent oftentimes brought to the Scaffold: For this King, tho' several good Laws were made in his Reign, had for some Time a Parliament and Favourites, who did not fail to advise their weak and ambitious Prince in many Things fatal to himself and the whole Nation.

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The Parliament granted him a Poll-Tax upon all Persons above 14 Years of Age, the Levying whereof occasion'd a dangerous Rebellion: And many were the Rebellions of this Reign, which at last so far prevail'd, that besides the Commission for Enquiring into and Reforming publick Abuses, the King's nearest Favourites were taken and beheaded; and Articles being exhibited against the King, the Facts he acknowledg'd, and Resign'd his Crown and Kingdom to *Hen. IV.* his Successor.

In the Reign of King *Hen. IV.* the Liberties of the Church and former Laws were ratified; which, in all our antient Reigns, was the first Thing transacted: The Lord Mayor of *London* was empower'd to redress Errors, Defaults and Misprisions committed in the City; and the Fees of the Marshal's Court were limited: Sheriffs ordain'd to be resident in the County, and not to let their Bailiwicks to Farm: And Attornies to be examin'd by the Justices, who were to be Men of good Fame, sworn well and truly to execute their Offices. Judgments given in the King's Courts, were to continue until Reversal by Error; and Persons disseised of their Estates to bring Writs of Assise.

A Statute of this King makes it Felony to cut out the Tongue, or pull out the Eyes of another: And this was enacted on Account of Offences of this Nature, where Robberies had been committed, to prevent Acc-

cufation : Juftices of the Peace and Sheriffs are to arreft thofe which commit Riots ; Enquire into them, and Certify into the King's Bench, in Order to the Punifhment of the Rioters there ; Jurors on Indictments to be return'd by the Sheriff without the Denomination of any other Perfon. Merchants bringing Merchandizes into this Realm, and felling the fame here, to beftow the Money they receive upon other Merchandizes of this Kingdom.

Knights of the Shire fummoun'd to Parliament, are to be Elected at the next County Court to be holden after the Delivery of the Writ, and Proclamation is to be made in full County of the Day and Place of afsembling the Parliament, and that all that are there prefent fhall attend and proceed to the Election freely and indifferently, notwithstanding any Request or Commandment to the contrary : And after they are chofen, the Names of the Perfons Elected, are to be written in an Indenture under the Seals of all the Electors, and be tack'd to the Writ, which fhall be the Sheriff's Return thereof: And Sheriffs making a falfe Return, are liable to a Forfeiture of 100 l.

The Part of this Statute which requires, That Elections fhall be made *freely* and indifferently, without any Regard to Requests or Commands to the contrary, is very well design'd ; but how well executed, I leave to thofe Perfons to determine, who have made
it

it their Business to influence Elections, and destroy that Freedom which was anciently observ'd, before any such Thing as Bribery was known in the chusing of our Parliaments.

Of all the Statutes of this Reign, that of Entailing the Crown on the King and his Four Sons, is the most remarkable. It is as follows: “ At the Request and by the Assent of the Lords and Commons in Parliament assembled, it is Ordained and Enacted, that the Inheritance of the Crown and of the Realms of *England* and *France*, and of all the other Dominions of our Lord the King beyond the Sea, with the Appurtenances, shall be Settled and Remain in the Person of our Lord the King, and in the Heirs of his Body begotten: And it is ordained, decreed and declared, That the Lord Prince *Henry*, eldest Son to our Lord the King, be Heir apparent to Succeed him in the said Crowns, Realms, and Dominions, and to have them after the Decease of the King, to him and the Heirs of his Body begotten: And if he die without Heirs of his Body begotten, then the said Crowns, Realms and Dominions shall remain to the Lord *Thomas*, Second Son of our Lord the King, and to the Heirs of his Body begotten: And if he die without Issue of his Body, that then the said Crowns, Realms and Dominions, shall remain to the Lord *John*, the Third Son of our said Lord

“ Lord the King, and to the Heirs of his Bo-
 “ dy begotten : And if he die without Heirs
 “ of his Body begotten, that then the said
 “ Crowns, Realms and Dominions shall re-
 “ main to the Lord *Humfrey*, the Fourth
 “ Son of our said Lord the King, and the
 “ Heirs of his Body begotten.

I need not say, that this Statute confirm'd the Hereditary Succession to the Crown of *England* in the Line of this King, since the many Limitations therein fully demonstrate it : But I do not from hence take upon me to affirm, that our Parliaments have not alter'd the *Hereditary Right* of the Crown, when they have thought the Welfare of the Publick has requir'd it : And even in this Case, the Hereditary Right was not in the King himself, he being a Descendant of a younger Brother, and a Prince descended from the elder Branch of the Royal Family was then living.

Many excellent Laws were made by the Parliaments in this Reign, which I have already mention'd ; And notwithstanding there were many Plots, Conspiracies and Rebellions against the King, he by his own personal Valour, Wisdom and Penetration, Conquer'd them all, and liv'd to be as distinguish'd for his Fame as his Predecessor was branded for his Infamy.

The Reign of *Henry V.* was productive of very few Statutes. Bishops were empower'd to Enquire of and Reform Abuses of Hospitals ;

pitals; Justices of the Peace to be resident in the Counties wherein appointed, and to hold their Sessions four Times a Year; Commissions to be awarded to enquire of Riots, and of the Justices Defaults therein, and Rioters to be punish'd with a Year's Imprisonment; Letters of Marque to be granted to any of the King's Subjects, with whom Truce is broken upon the Sea; breaking of Truces and safe Conducts is made High Treason; as is also Clipping, Washing and Filing the Money of this Kingdom, by Statutes enacted in this Reign.

By a Law now made, Jurors who pass upon Trials relating to the Life of a Man, and who try Causes and Pleas Real and Personal, are to have 40 s. a Year. Knights of the Shire chosen in every County, to reside in the County for which they shall be chosen, the Day of the Date of the Writ of Summons to Parliament; the Electors of Knights of Shires to be also resident in the same County. And Citizens and Burgeses of Cities and Boroughs are to be elected out of those who are Citizens and Burgeses inhabiting within and free of the same Cities and Boroughs.

The latter Part of this last Statute, is so very well regarded in our modern Elections, that I am inform'd some of our Candidates have been no otherwise Resident in, or Free of Boroughs, or known to the People, than their Money, on the Day of their being chosen, has proclaim'd; and that were it

it not for the Returns of the Writs, the Electors would many of them be Strangers to their Names.

This King had Supplies granted him by his Parliament, but not being enough for the Maintenance of his Wars, he pawn'd his Crown for a large Sum of Money : In a Parliament held at *Leicester*, he was importunately advis'd to suppress Religious Houses, because they were ill manag'd, and instead of promoting Religion, were the Nurseries of Idleness, Pride and Gluttony.

How much this alarm'd the Abbots, Monks and other Ecclesiasticks, is easie to imagine : They thought their Harvest at an End ; but this great Work was reserv'd for another *Henry*, much lower down in the History of our Princes.

A Treaty of Peace with *France* was perused and Ratified by the Lords and Commons in Parliament in this King's Reign : And in many other Reigns, our Parliaments have been consulted in making Peace and War.

The Reign of *Henry VI.* being a great deal longer than that of his Ancestor, a great many more Statutes were enacted by this Prince than his Predecessor ; tho' the greatest Part of his Reign he was only a Minor. The Liberties of the Church and of Cities and Boroughs were confirm'd : The Office of the Master and Assayers of the King's Mint were appointed, to convert into Coin all the Gold and Silver brought to the Mint : Silver

Plate to be mark'd, and to be of a certain Fineness, under certain Penalties: Licence granted for the Transportation of Corn; and Commissions of Sewers ordain'd for repairing of Damages sustain'd by Inundation of Waters.

The Clergy of the Convocation, and their Servants and Families, to have the same Liberty and Protection as Members of Parliament: Every City and Borough to have a common Balance and Weight, or be liable to Penalties and Forfeitures: Justices of the Peace to enquire of forcible Entries: The Judges to amend and reform Defects in Records, occasion'd by Misprisions of Clerks: Inquests of Jurors to be *De medietate Linguae* (one half of the Jurors Denizens, and the other half Aliens) where an Alien is Party, in any Cause or Suit: Upon Indictments remov'd into the King's Bench, Process awarded: Suits before Justices of Peace, or Commissioners not to be discontinued by a new Commission: Justices of the Peace to have 20 *l.* a Year Estate in Lands, unless they are Gentlemen of the Law, and to be chosen out of the most worthy Persons.

Soldiers departing from their Colours without License from their Captains were declared guilty of Felony: And by this Law, Justices of Peace had Power to enquire into, hear and determine Offences of this kind: But since it is got into the Hands of the Army, and Councils of War; No one to be com-

compel'd to enter into a Bond or Obligation: Officers of the Customs not to distrain Ships or Goods, by Colour of their Offices, for any unlawful Cause, as to extort Money from the Proprietors, on Pain of 40*l*, and Customers not to have Ships of their own, to use Merchandize, be Factors to others, or keep a Wharf or Inn: These Laws were made and ordain'd by the Parliaments of *England* in this Reign; and also several others relating to Elections of Members of Parliament.

By a Law now made, a Chuser of Knights of the Shire must be resident within the County, and have a Freehold Estate of 40*s*. *per Annum*: Counties are to be assess'd for levying of Wages for Knights of the Shire, (I think 6*s*. 8*d*. a Day) to enable them to support the Expence of attending the Parliament. Sheriffs after the Receipt of Writs, to deliver their Precepts to Mayors and Bailiffs of Cities, Boroughs, &c. in their Counties, requiring them to make Elections of Members, and Returns by Indenture between them and the Electors; and forasmuch as Knights, Citizens and Burgeses had been return'd which were never duly chosen, this Statute inflicts Penalties on Sheriffs, making undue Returns of Knights of the Shire, and on Officers of Corporations. If any Knight, Citizen or Burgess lawfully return'd shall be put out, and another put in his Place; the Person put in his Place if he
fits

sits in the Parliament, shall forfeit 100 *l.* to the King, and 100 *l.* to the Member return'd. And Knights of the Shire are to be elected out of the most notable Knights and Esquires of the same County. How very much most of these Statutes are neglected, I have no Manner of Occasion to mention.

The Parliaments of this Reign, in their Political Capacities, did a great many uncommon Things. The King being of weak Understanding, and his Council base and treacherous, as Fame had reported, had various Turns of Fortune: In the Rebellions against him, he was taken Prisoner by his Successor; who pretended a better Right to the Crown than himself, and by a Parliament, call'd at *London*, was declar'd Protector of the Kingdom.

He had the present Possession of the Crown conferred upon him; and the King, who had been as it were King and no King for a great many Years, had at last only the Name and Title for Life.

In the Reign of *Edward IV.* the Laws of King *Henry IV, V, and VI.* were confirm'd. It was enacted that Merchants should not bring into this Realm any Wares ready wrought; which was a very great Hindrance to the Artificers of this Kingdom, in pursuing their Callings and getting their Livelihoods: Cloth was likewise prohibited to be imported from Foreign Countries; Clothiers were obliged to fix Seals to their Cloths, to
make

make them of certain Lengths and Breadths, and not to use Flocks or other deceitful Stuff. And Woollen Yarn and Cloth to be Full'd before they were transported to any other Countrey, on Pain of Forfeiture.

Mayors, Bailiffs, and chief Governors of Cities, Boroughs, and Corporate Towns, to have the searching and surveying of Wine, Ale, Beer, and other Victuals: The Court of Pipowders, in Fairs, to have Conusance of Contracts made in the Time and Jurisdiction of such Fairs: Aulnage D ties for sealing of Cloths were in this Reign let to Farm by the Lord Treasurer of *England*: And no Persons under the Degree of a Lord were to wear any Gown or Mantle, but of such a Length; so carefully did our antient Statutes provide against the Excess of Apparel; which of late Years has done very great Mischief to these Kingdoms.

It is owing to an Excess of Apparel, Pride and Luxury, that the most fatal Calamities have attended this Nation; for the Support of these, Avarice and Ambition join, and what two such formidable Enemies to Society can do, we have woefully felt: Where Pride and Luxury abound, the Measures to support them must be extraordinary; and many are those Persons in this Age, who had rather go upon the Highway to make a Figure, than take Pains in an honest Profession for a bare Subsistence and mean Appearance in Life.

Several Ordinances were made in the Reign of this King for the Payment of a Subsidy of Tonnage and Poundage ; granted to the King during his Life. The King also demanded an Aid of his Subjects, by Way of Benevolence ; tho' all would not secure him from Rebellions, Insurrections and Misfortunes ; for a Parliament being called, when he and his Army had been defeated, Things were driven to that Extremity, that the King and his Adherents were attainted of High Treason ; and the Crown entail'd upon the Heirs of King *Hen. VI.*

But the King recovering from his Difficulties, soon re-obtain'd his Regal Power, and with the Assistance of his Parliaments was Reveng'd of his Enemies. The Entail of the Crown was made void ; and the King laid his Claim to the Kingdom of *France*, which he might also have recover'd, had not his Courtiers been bribed by the *French* King to bring their Master to Terms of Accommodation.

By this we find that Bribery is of ancient standing in this Kingdom, and has always been capable of Mischief abroad as well as at home.

Edward V. was the next of our Princes who had a Right to the Crown of *England* ; but as he was very young, he was barbarously murder'd by *Richard III.* so that no Law was enacted in this Reign (if it can be so call'd) which only had Continuance for a
very

very few Months, till the Ambition of *Richard* had push'd its Way to advance him to the Throne.

This Interval of Time was a Sort of *Interregnum*, wherein the vilest Butcheries were committed to make a Monster King: The Laws were silent, and no Parliament consult- ed; for these are not of Use to constitute a Tyrant.

When *Richard* III. came to the Crown, one of the first Laws pass'd was in Favour of the Subject; It Enacted that the People of *England* should not be charged with any Benevolence to the King: Justices of the Peace had Power granted them to let Pri- soners to Bail or Mainprise; and Officers were not to seize the Goods of Felons, un- til they were convicted of the Offence which entitled their Forfeiture: Aliens were re- strain'd from being Handicraftsmen, and to make Cloth in this Realm; Merchandizes were not to be brought hither ready wrought; and Vessels of Wine, imported in this King- dom, were to be of such a Measure, and gaug'd by the King's Gaugers.

Some other good Laws were made in the Reign of this King to cover the Treacheries that had been transacted; particularly the Statute of Fines, which ordains that Fines shall be openly read and proclaim'd in the County where the Lands lie, at the General Quarter-Sessions of the Peace; and that then, and not till then, the Fine shall conclude

Privies and Strangers ; except Women Covert, Infants, Persons in Prison, out of the Realm, or *non compos mentis*.

Strangers to Fines, such as are not Parties or Privies, have five Years Time after Proclamation, to Enter and Claim their Right ; and the like Time have Infants, after they arrive at Age, Feme Coverts after the Death of their Husbands, Prisoners abroad after their Enlargement, and Lunaticks after they are Cured of their Maladies. I have mention'd thus much of this Statute of Fines, as it is the most general Law we have on this Head, and concerns the Estates and Inheritances of this Kingdom ; to which I may add, that so tender are our Laws as to Property, that if a married Woman is to Levy a Fine with her Husband, of her own Lands or her Jointure, before it can pass, she is first to be privately Examined, if she consents to the passing it freely, and that it be not extorted from her by Violence and Compulsion.

The Parliament, in this Reign, Recogniz'd the Title of *Richard* ; but his Reign was but short, for Vengeance pursued him, and gave him the Doom due to his Tyranny. It is remarkable (amongst many other extraordinary Executions during this Reign) that a Gentleman was hang'd for his Satirical Talents, and only Writing a Couplet of Verses on the King, which it seems so well fitted him, that they could not be applied to any other Person.

King

King *Henry VII.* succeeded *Richard*, and many Laws were Enacted in his Time. Priests were to be punish'd for Incontinency : The Court of Star-Chamber was Erected (since taken away) for punishing of Offences, compos'd of several great Persons, as the Lord Chancellor, Treasurer, and Lord Privy Seal, calling to their Assistance a Bishop and a Temporal Lord and the two Lord Chief Justices. It was made Felony to carry away a Woman against her Will, that had Lands or Goods, or was Heir apparent to her Ancestor.

Deeds of Gift of Goods and Chattles made to defraud Creditors to be void : Justices of Peace to execute their Commissions, and cause the King's Proclamation to be read, setting forth their Duty in the Execution of the Laws : Clergy to be allow'd but once to Felons : Persons that attend upon the King to serve him, not to be attainted of Treason for what they do by his Commandment : Poor Persons not able to prosecute Suits for Recovery of their Rights, to sue in *Forma Pauperis*, and have Council and Attornies assign'd them *Gratis*, and also Processes out of the several Courts : Plaints in County Courts of Sheriffs to be entred, when the Plaintiff or his Attorney is present ; and but one Plaint to be entred for one Cause.

A Law was now made for Preservation of the Game, inflicting a Penalty on those who should take Pheasants or Partridges, or

their Eggs, upon the Ground of any other Person. Corporations not to make Ordinances or By-Laws to the Diminution of the King's Prerogative, or without the Approbation of the Lord Chancellor, Treasurer, or Justices, under the Penalty of 40 *l.* Where Writs of Error are sued to delay the Plaintiff of his Execution, Costs and Damages to be awarded, if the Judgment be affirm'd. Sheriffs to have the Custody of Common Goals, and the Prisoners therein; and to be punish'd for negligent Escapes, by Fine discretionary in the Justices.

Brafs and Pewter to be of a certain Goodness, be mark'd by the Owners, and openly sold in Fairs or Markets, or the Owners Houses. Gold or Silver Coin not to be brought into this Kingdom from *Ireland*, or be carried thither; the Coins current in this Realm to continue, and be taken for the Sums that they were Coin'd, so as they are not diminish'd otherwise than by wearing, and altho' they are crack'd; and Persons refusing to take Money in Payment may be compel'd by Magistrates and Chief Officers of Towns: But Money that is clip'd shall not be accepted in Payment, but be carried to the Mint to be new Coined, or Converted into Plate or Bullion: And the more effectually to prevent Clipping of Money, this Statute ordains that a Circle be made round the Outside of the same, with a particular Inscription.

Severe Taxes were granted by Parliament during the Reign of this King, which in several Parts of *England* were refus'd in their Payment; and so obstinately did the People persist in their Disobedience to the King's Orders, for Levying these Taxes, that they murther'd his Commissioners appointed to Levy them; whereupon Rebellions ensued attended with much Mischief: And Rebellions have generally been the Consequence, where the Subjects of *England* have been loaded with new and unusual Taxes; which undoubtedly are a great Infringement on Property, when such Taxes are not to the last Degree necessary.

The Penal Statutes were severely put in Execution, in this Reign; but this was occasion'd rather to fill the King's Coffers, than from any other Motive.

Now I am proceeding to the Reign of *Henry VIII.* a King the most famous of his Time. One of the first Acts of this Reign was for the better Payment of the Soldiery, inflicting Penalties on Officers detaining their Pay. Others were, an Act for the more effectual Punishment of Murders and Felonies: Proclamations to be made for the Party to appear, before Outlawry is awarded; Remedy granted by Distress and Avowry for Rents and Services: Aliens not to take Apprentices, but such as are born in the King's Allegiance, and their Goods and Wares to be examin'd and mark'd by the Wardens of
of

of Companies within the City of *London*; and They to be sworn to be true to the King, and obedient to his Laws.

Physicians of *London* were by an Act now made incorporated, with certain Privileges; they are declar'd a College of Physicians, to have perpetual Succession, a Common Seal, President, &c. They may make Ordinances, sue and be sued; and no one to practise Physick in *London*, or within Seven Miles thereof, but such as are Licens'd by the College: Mortuaries to be paid to the Clergy on the Deaths of Persons: Servants running away with their Master's Goods to be punish'd as Felons: Restitution to be made of stolen Goods, where a Robbery has been done; Bridges and Highways to be Repair'd, and Justices of Peace to award Process against those who ought to repair them, Tax the Inhabitants, &c. Goals to be Erected and Repair'd in Counties, which are to be also taxed for the same by Justices of Peace.

Recognizances of Debt, by Statute Staple, to be taken by the two Chief Justices, the Mayor of the Staple, and the Recorder of *London*; and Execution taken upon them on Default of Payment: Buggery with Man or Beast is made Felony: It was made High Treason, to wish or desire by Words or Writing, or to imagine, or attempt any Bodily Harm to the King or the Queen, or their Heirs apparent; or to deprive any of them of their Dignities or Titles; or to publish
that

that the King was an Heretick, Schismatick, &c. And Treason committed out of the Realm, to be tried in such County, and before such Commissioners, as the King shall appoint : The Forfeiture of Lands for Treason, saving the Rights of others, was also ordain'd by this Statute : Pirates and Robbers on the Sea to be tried by the King's Commissioners, in such Shires and Places as shall be directed, and by Jurors of the same Places, as if the Offences had been committed at Land ; and the Persons convicted to be punish'd, as Felons and Murtherers for Murther or Felony done upon Land.

The Statute of Uses was pass'd in this Reign, whereby it is enacted, that the Possession of Lands, and all the Advantages of the Persons seized, shall be in him or them that have the Use. Bargains and Sales of Lands are to be Inroll'd, in the Courts at *Westminster*, or in the Counties where the Lands lie, before the *Custos Rotulorum* and Justices of the Peace, within Six Months. Jointures to be made of Lands to the Wife for her Life, after the Death of the Husband, instead of Dower ; and this is regularly to be done before Marriage : Persons having Estates in Fee Simple may Devise the same by last Will and Testament to whom they think fit. Tithes to be paid according to the Customs of Parishes, throughout the Realm : Cities, Towns and Parishes to keep their own Poor ; Vagabonds and Beggars
to

to be whipp'd, and sent to the Place of their Nativity, and afterwards wandring in Idleness, and not applying themselves to Labour, on a Third Offence to be punish'd as Felons.

A Writ of Right, and Actions for Recovery of Lands, to be brought within Sixty Years, by the Act of *Limitation*: After Issue tried in any Cause, Judgment shall be given notwithstanding any Jeofail or Mispleadings; which is call'd the Statute of *Jeofails*: Joynt Tenants and Tenants in common, for Lives or Years, to make Partition. Persons getting Money by Counterfeit Letters to be fet on the Pillory and be Imprison'd: Unlawful Games are prohibited, Gamesters liable to Penalties, and Gaming Houses to be suppress'd: The Offender's Right Hand to be cut off for striking in the King's Palace: Usury is punishable by a Statute now pass'd: The Price of Wines to be set by the Lord Chancellor, Lord Treasurer, &c. Woods, and Timber, to be preserv'd by leaving of Standils on cutting the same; Wood Ground not to be converted to Tillage or Pasture, and to be enclos'd for Seven Years after cut, as a Security against Cattle.

The afore-mentioned are the Chief of the general Laws and Statutes of this Reign. The Statutes relating to the Supremacy of the Church, are as follow: A Law for Restraint of Appeals, which Enacts that no Appeals shall be brought but within this

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King.

Kingdom; procuring Appeals to *Rome* incurs the Penalty of a *Præmunire*: The Clergy, in Convocation, shall not Enact any Constitutions or Ordinances, without the King's Assent; and shall be assembled by the King's Writ: The King hath Power to appoint certain Persons to examine the Canons of the Church, to continue such as they think fit, and reject such as are against his Prerogative: No First-Fruits to be paid to the Pope; nor shall any be presented to the See of *Rome* for any Dignity in the Church; but Bishops to be chosen by the Deans and Chapters of the Diocess, on the King's *Conge de' lire*, or on Default by the King's Letters Patents: The First Fruits and Tenths of Spiritual Livings granted to the Crown; Commissioners appointed to Enquire into the Value of Livings, and Bishops to be charged with the Collection of Tenths in their Dioceses: All Monasteries are given to the King, which have not Lands above 200 *l.* a Year Value; the King to have the actual Possession of the Abbey-Lands, and fraudulent Assurances made by Governors of Houses before their Dissolution to be void.

All Bulls and Dispensations from *Rome* to any of the King's Subjects to be void: All Monasteries, Abbeyes, Colleges, Chantries, Hospitals, &c. of what Value soever, were now Dissolv'd, and the Lands granted to the King, his Heirs and Successors: A Court of Suveyors and Augmentations was Erected, to

determine Suits and Controversies relating to the Abbey-Lands: and Receivers and Accomptants were appointed, &c. which was one of the last Things done. The King, previous to these Statutes, procur'd a Licence from the Pope to pull down several small Abbies and Priories, for the Endowing of two Colleges he had built; which was a Precedent to him for pulling down the rest. The Abbey-Lands, all over the Kingdom, were sold to the Lay Gentry, as the only Means to prevent their coming into the Hands of Priests; and thus the Power of *Rome* was crush'd in this Kingdom, whereas before the Reign of this Prince, our Kings, bigotted beyond those of all other Nations, have not only held the Styrops of Popes but also walk'd barefoot, and suffered the severest Penances from their Spiritual Lords and Masters.

The King, by Act of Parliament, was declar'd supream Head of the Church; it was made High Treason to deny it, as was likewise acknowledging the Authority of the Pope. And tho' the Pope had Excommunicated him, his Title to the Crown was confirm'd by Parliament; and the Succession settled after his Decease on his Son Prince *Edward*, and his Heirs, and for Want of Issue to the Ladies *Mary* and *Elizabeth* his Daughters and their Heirs successively, subject to such Conditions as the King should limit; and the Reversion or Remainder of the Crown, to such Persons as the
King

King should appoint by his Letters Patents or last Will and Testament.

This was the greatest Power that ever was given by the Parliaments of *England* to our Princes; the King had Authority to make Conditions and Limitations for Settling the Inheritance of the Crown, and had put into his Hands the Order and Declaration of the Succession thereof; an Honour which none of the Kings of *England* could boast of but *Henry VIII.*

In this Reign an Act was made against Pluralities of Livings; but Dispensations to be granted to the King's, and other Chaplains: Dukes, Earls, Barons, &c. are empower'd to keep Chaplains; a Duke six, and a Baron three.

An Act of Pardon and Indemnity was also pass'd; and several Subsidies granted, notwithstanding the new Acquisitions of the Crown by the Dissolution of Abbies and Monasteries.

In the Reign of *Edward VI.* a Law was Enacted for punishing Revilers of the Sacraments; Uniformity of Prayer and the Administration of Sacraments in both Kinds to be used in the Church; and all Persons to Resort to their Parish-Church or Chapel every Sunday and Holyday: The Holydays to be observ'd throughout the Year are appointed; but Husbandmen, Labourers, &c. may work on Holy-Days during the Time of Harvest, and when Necessity re-

quires it: No Persons to quarrel or fight in Churches or Church-Yards, under the Penalty, of striking any other with any Weapon, of having one of their Ears cut off.

All Processes Ecclesiastical to be in the King's Name, but the *Teste* in the Name of the Bishop: The Death of the King not to discontinue any Suit or Action: Sheriffs to have Allowances upon passing their Accounts in the Exchequer, of all such Moneys as they cannot Levy for the King's Use, &c. Statutes confirm'd concerning Tanners, Curriers, and Cordwainers, declaring their Duty in making and selling their Wares, and of Searchers to view, search and seal the same: Leather not to be transported: Malt to be well made, continue in the Fat and Floor for a certain Time, and good Malt not to be mingled with that which is bad.

Every Person shall set forth and pay his Tithes in such Manner as they had been paid for Forty Years; and on Default of setting forth, the Tenth Part of Corn and Hay, or other Predial Tithes, before carrying away the same a Penalty of double Value is incurr'd; but Lands, by Prescription or real Composition are exempted from the Payment of Tithes; and Tithe of Barren Heath, or Waste Ground, not to be paid, until the End of Seven Years after Improvements made. Personal Tithes to be paid by Tradesmen in Towns and Cities, a Tenth
Part

Part of the Gains they shall acquire by their several Employments.

A Law was now made for the Punishment of Victuallers selling their Victuals at unreasonable Prices; and Conspiracies of Labourers relating to their Work, the Hours of their Working, Wages, &c. Sheriffs to keep their Courts Monthly. The Lord Chancellor of *England* to appoint the *Custos Rotulorum* in every County of *England* and *Wales*: An Act for the true making of Woolen Cloth, which requires Clothiers to fix Seals of Lead to their Cloths, declaring their Lengths, and not to stretch them; and the Duty of Dyers is regulated: Alehouses to be Licens'd by Justices of the Peace, and Recognizances taken for good Order: No Persons to sell Wine in Towns but by Licence from Mayors and other Head Officers; The Assise of Fuel is limited in *London* and *Westminster*: Horses, Bell-Metal, Gun-Metal, &c. not to be Exported: And Horse-stealing made Felony without Benefit of Clergy.

By an Act made in this Reign it was declared High Treason for twelve Persons or more to assemble together to attempt to Kill or Imprison any of the King's Council, or to alter the Laws, if they continued together an Hour after Proclamation made to depart, by a Justice of Peace, Mayor, or Sheriff. And if such assembling were to destroy any Park, Pond, Dove-House, or to pull
down

down any Houses, it was made Felony: But these Laws were afterwards repeal'd. Publishing false Prophecies, tending to raise Dissentions amongst the People, was to be punish'd: Offices were forbid to be sold, for any Money, Fee, Reward, or other Profit; (a righteous Law, but never executed) and the Laws prohibiting the Marriage of Priests were anull'd and made void.

Popish Books and Images were to be abolish'd; and the King had Authority given him, by the Advice of his Council, to nominate Commissioners to Examine the Ecclesiastical Laws, and to gather and compile such Laws and Ordinances as should be convenient to be practis'd in the Spiritual Courts, agreeable to the Common and Statute Laws of this Kingdom.

King *Edward* by his Will appointed the Lady *Jane Gray* his nearest Kinswoman, next to his Sisters the Ladies *Mary* and *Elizabeth*, to be his Successor: This was done for the Security of the Protestant Reform'd Religion; but tho' the Will which the King had made was subscrib'd by all his Council, the Bishops and Judges, it not having the Sanction of an Act of Parliament, was soon vacated by Queen *Mary*, from whom the greatest Danger had been expected: She caused the Lady *Jane* to be beheaded: and the Protestant Religion was totally Eclipsed during her Reign.

A Subsidy and Two Fifteenths and Tenths were granted to this King by the Temporality, to be paid in two Years: And Six Shillings in the Pound of Spiritual Livings, payable in three Years, was granted by the Clergy.

When Queen *Mary* came to the Crown, tho' she had obliged her self under the most solemn Promises not to make any Alteration in the Reform'd Religion, yet she soon made the contrary Intentions appear. In the first Year of her Reign was pass'd an Act for Repealing all Articles and Provisions made against the Pope since the 20th Year of K. *Henry VIII.* (the Time he began to assert his Supremacy) and for the Establishment of all Spiritual and Ecclesiastical Possessions and Hereditaments convey'd to the Laity: And so artfully was this Statute contriv'd, that whilst it destroy'd every Thing that King *Henry VIII.* and *Edw. VI.* had done for abolishing of Popery, it confirm'd all Grants and Assurances made by those Princes, of Church Lands; and declar'd that the Title of Supream Head of the Church could never be justly attributed to any King or Governor of this Realm, but yet signified, that Writs, Letters Patents, and other Writings, with the Title of the King as Supream Head of the Church, were to be good and pleaded.

The Regal Power of the Realm was declar'd to be as fully in her Majesty, as it had been
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been in any of her Ancestors ; and to be equally the same in a Queen as in a King : These Laws and others were made in Favor of this Queen, who by the Assistance of her Priests found out the Way to get a Parliament to her Mind. The other Statutes made in this Reign relate to the Bailment of Persons by Justices of the Peace, requiring Examinations to be taken upon Oath before it be granted. Horses sold in Fairs and Markets to be openly rid, and enter'd with Toll-Keepers appointed, or the Property therein shall not be alter'd as to the real Owner, in Case they are stolen : Surveyors for amending the Highways to be appointed, and certain Days assign'd for working thereon.

Justices of the Peace to examine Persons arrested for Felony or Manslaughter, and bind over the Accusers to give Evidence against them : Accessaries in Murder, Petit-Treason, Robbery on the Highway, &c. not to have Benefit of Clergy : Persons taking away and marrying young Women under Sixteen Years of Age, without Consent of their Parents, to be punish'd by Fine and Imprisonment. Penalties inflicted for false Musters of Soldiers : And Persons born under the Dominion of the *French* King to depart the Realm, and not return during the Wars with *France*.

The Justices of Peace in every Shire, City, &c. had Authority given them to hear
 * and

and determine Offences in publishing of Slanderous News. If any Person was convicted of speaking maliciously, of his own Imagination, any false, Seditious and Slanderous News, or Tales of the Queen, or the King her Husband, for the first Offence he was to be set on the Pillory, and have both his Ears cut off, or pay a Fine of 100 *l*. And if such Slanderous News were of the Report of any other, then the Person offending for spreading the same was to be set on the Pillory, and lose one of his Ears, or pay 100 Marks: If the same was done by Writing or Letter, he was to have his Right Hand stricken off: And the Second Offence punish'd with Imprisonment for Life, and Forfeiture of Goods.

This very Penal Law for stifling and suppressing all Liberty of Speech, relating to the Transactions of this Reign, is the strongest Argument that great was the Cause of Complaint against them: for it is seldom or never known that the People of *England* calumniate or Slander their Superiors, especially the Government, but where they apprehend they are Sufferers by them, or the Use of their Power.

The Articles of Marriage between *Philip* Prince of *Spain*, and Queen *Mary* were confirm'd by Parliament; but the Queen only was to enjoy the Crown and Sovereignty of these Realms, with all the Prerogatives, and Jurisdictions belonging to it, without

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any Right, Title or Interposition of the Prince her Husband: And all Gifts, Grants, Letters Patents, and other Writings concerning the Crown, were to be made in the Name of the Prince and the Queen ; but to be Signed with the Sign Manual of the Queen only, and be bestow'd upon the Natural Born Subjects of the Kingdom.

As to the latter Part of this Law, we may easily observe, that the Parliament at this Time acted with great Prudence, to prevent the Footing of Foreigners in *Great Britain*, and therein Encroachments on the Liberties of the Subject ; notwithstanding in all other Things they too much countenanc'd a Queen who was in her Nature a Tyrant, and the greatest Scourge that *England* has known.

But it is remark'd by our Historians, that Martyrdoms were no sooner frequent in this Reign, than the Queen in all her Undertakings prov'd unsuccessful : National Losses attended the Murders of the Innocent ; and whilst she was active in taking away the Lives of her Subjects, she lost her own.

On the Death of Q. *Mary*, her glorious Successor Queen *Elizabeth* gave new Life to this drooping Nation, which wanted the Rays of so glorious a Sun. This Queen, with the Advice and Consent of the Lords and Commons in Parliament, first pass'd a Statute to restore the Crown to its ancient Jurisdiction, over the Estate Ecclesiastical and Spiritual,

tual, and for abolishing all Foreign Powers repugnant to the same: The Act for Uniformity of the Common-Prayer and Service in the Church, and Administration of the Sacraments; and several other Laws relating to Religion, enacted by King *Edward VI.* were reviv'd: Severe Statutes were made against Priests and Jesuits; and now it was that the Protestant Reform'd Religion receiv'd its Perfection.

Many were the good Statutes pass'd in this Reign: Merchandizes were to be ship'd in *English* Bottoms, and certain Ports assign'd for the Lading and Unlading of Goods: Fish not to be taken under Size, or out of Season under certain Penalties, and the Spawn of Fish to be preserv'd: Labourers, Artificers, Servants, &c. to be compellable to work, not to depart before their Work is finish'd, or leave their Service, &c. Apprentices are likewise regulated by this Law: Persons guilty of Subornation of Perjury to stand in the Pillory, forfeit 40 *l.* and be Imprison'd Six Months, not being able to pay it; and be ever afterwards incapable to be a Witness: Forgery of Deeds concerning Inheritance of Lands, punish'd with Pillory, Loss of Ears, Imprisonment for Life, &c. and the Second Offence made Felony.

Fraudulent Deeds made to avoid the Debts and Duties of others, to be void; and Conveyances made to defraud a Purchaser of Lands for valuable Consideration, as against

such Purchaser to be null and void: The Lord Chancellor to grant Commissions of Bankrupts, and take Order of the Bankrupts Bodies, Lands and Goods; Persons concealing themselves, or departing the Realm, declar'd Bankrupts, and Commissioners to sell their Estates for the Satisfaction of Creditors.

The Duty of Informers, in prosecuting upon Penal Statutes, was declar'd; who were not to Compound Offences under the Penalty of 10*l.* and Punishment by Pillory: Leather not to be transported, and a Subsidy granted upon it: The Highways to be amended; Persons having Plough-Lands to send out Teams for that Purpose, and others able Persons: Ditches to be scowred, and no Soil to be laid in the Highway: Those which serve on Juries to have 4*l.* a Year Freehold in the County where the Issue is tried: And after Verdict given in a Court of Record, there shall be no Stay of Judgment or Reversal, for Want of Form, false Latin, or Variance in Writs: Erroneous Judgments given in the King's Bench, to be Reversed in the Chancery, and the High Court of Parliament.

Where Robberies on the Highway are committed, between Sun-rising and Sun-set, the Hundred is chargeable, if the Robbers are not taken on Hue and Cry. Extortion of Sheriffs, Under-Sheriffs and Bailiffs forbidden under diverse Penalties: No secret Outlawries to be awarded against the Subjects:

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Cottages to have four Acres of Land to them, under the Penalty of 10*l.* and Inmates, or more Families than one, are prohibited to be resident in Cottages: Searchers of Cloth to be appointed Yearly by Justices of Peace, to examine into the Goodness of Cloths, and fix their Seals to them: Rogues and sturdy Beggars to be punish'd, and sent to the House of Correction: Hospitals and Work-Houses to be Erected for Employment of the Poor, and be Incorporated: Overseers to be chosen for Relief of the Poor, who may bind out poor Apprentices; and Justices of Peace to make Rates for the Relief of the Poor of every Parish.

Commissions to be granted to Enquire into the Misemployment of Lands, Goods and Money, given to charitable Uses: Poor Soldiers and Mariners to be reliev'd by a Taxation on Parishes: Acts were made for the Increase of Tillage and Maintenance of the Navy; and to encourage Navigation and Seamen: Cables for shipping not to be made of old Stuff, under certain Penalties: Commissions to be awarded by the Lord Chancellor of *England* directed to the Judge of the Admiralty, the Recorder of *London*, two Doctors of the Civil Law, two Common Lawyers, and Eight Merchants, to hear and determine Causes arising on Policies of Insurance of Shipping.

In this Reign some occasional Laws were made for the Queen's Preservation: It was de-

declar'd High Treason for any Person to intend Destruction to the Queen, or to Levy War, or to move others to War against her; or to affirm that the Queen ought not to enjoy the Crown; or to publish that she was an Heretick, Schismatick, Infidel, or Ufurper of the Crown; or to affirm the Right of Succession of the Crown in some other than the Queen; or that the Laws and Statutes did not bind the Right of the Crown, and the Descent, Limitation and Inheritance and Governance thereof: All these were made High Treason.

Four and Twenty Persons, whereof Part of the Queen's Council, and the Residue Peers of the Realm, by the Queen's Commission were to examine the Offences of such as had made any open Invasions or Rebelions; attempted Injury to the Queen's Person, or pretended Title to the Crown; and on Discovery of any such Practices, the Offenders were to be pursued to Death, by all the Queen's Subjects. But these Statutes were only *pro tempore* to secure her Majesty against the Plots and Conspiracies of the Priests and Jesuits, who endeavour'd to Restore the *Roman* Catholick Religion with all their Might, not sticking at any Means to effect it, tho' all in vain.

Several Acts of Pardon were granted by this Queen to her Subjects, and confirm'd by Parliament; and several Subsidies were granted by the Subject to the Queen: She
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Reign'd in the Affections of her People; which only can make a Prince truly happy : Her Arms were successful by Sea and Land ; the Invincible Armado of *Spain* sufficiently experienc'd the Strength of her Fleets, and Bravery of her Commanders at Sea ; and the Armies of distant Potentates submitted to her Troops.

But this glorious Princess, besides her own the most extensive Abilities for Government of Kingdoms, had perhaps the honestest Parliaments, the ablest Statesmen, the wisest Ministers, and steadiest Councils, that ever attended any King or Queen, either of *England* or any other Country ; so that she had every Way Power, as well as Inclination, to do those great and God-like Actions which have rendred her Name and Memory dear to latest Generations.

No sooner was King *James* I. advanc'd to the Throne, but the Parliament made a Recognition, that upon Queen *Elizabeth's* Death, the Crown of *England*, and all the Kingdoms, Dominions, and Rights belonging to the same, did by Lawful Birth-right and Succession descend to King *James*. This Prince was receiv'd with universal Joy of the People ; and great were the Expectations of the Benefits proceeding from the Conjunction of the two Royal Houses of *York* and *Lancaster*.

In this Reign the Laws against Priests and Jesuits were confirm'd ; and several Statutes

tutes Enacted against *Popish* Recusants, who are prohibited to bear Offices, disabled to Present to Benefices, or to be Executors. To marry a Second Husband or Wife, the former being Living, is made Felony : Witchcraft, and Dealing with evil Spirits, declar'd Felony without Benefit of Clergy ; and telling where Things lost may be found, provoking unlawful Love, &c. is punishable by Imprisonment and Pillory. Tanners not to gash nor others forestall Hides or Skins ; Leather not to be raised, or insufficiently tann'd ; Shoes to be made of sufficient Leather ; and Mayors of Towns to appoint Searchers and Triers of Wares : Bankrupts to appear before Commissioners and be examin'd, and also others who have any of the Bankrupt's Estate ; Grants of Lands in other Men's Names, unless for valuable consideration, to be void ; Fraudulent Concealments punish'd, by Pillory ; Commissioners may assign Debts, and break open the Houses, or Chests of the Bankrupt for Goods.

Persons killing Hares, Pheasant, Partridge, Heron or other Game to forfeit 20 s. or suffer three Months Imprisonment ; and the Buying and Selling of Deer, Hare, Pheasant, &c. is prohibited : None shall kill or chase any Deer in Parks or enclos'd Grounds, under the Penalty of paying treble Damages, and being Imprison'd three Months : Informations upon Penal Statutes, to be prosecuted in the Counties where the Offences were com-

committed : Sheriffs having a *Quietus* to be discharg'd of all Accompts due to the King: Monopolies of Goods declar'd against Law, and void; and Persons injur'd by them to recover treble Damages: A Law made for Relief of Persons visited with the Plague, by Taxing of Parishes, &c. And not only the Crime of Drunkenness is punishable by a Statute now pass'd; but also prophane Swearing and Cursing, which is 1 s. for every Offence.

The further Statutes of this Reign were for limiting the Time for Prosecution of Actions; Writs of *Formedon* for Recovery of Lands, and Entries upon Lands, to be brought and commenc'd within twenty Years; Actions for Debt, Accompt, &c. to be commenc'd within six Years; for Assault and Battery within four Years; and for Slander within two Years. Shop-Books not to be given in Evidence for Goods bought above a Year before Action is brought, unless the Creditor has a Bill of Debt, &c. Debts due to Citizens of *London* under 40 s. to be recovered in the Court of Requests at *Guildhall*, (call'd the Court of Conscience) Attornies to give in true Bills to their Clients, and not be allow'd Fees to Council without Tickets sign'd by them; and they are not to demand more than their due Fees and Disbursements, nor delay their Client's Suits, on Pain of treble Damages and Disability to Practise.

To this King a Subsidy of Tonnage and Poundage was granted upon Wines, and all Sorts of Merchandize, for Defending the Seas: The *English* Plantations in the *West-Indies* were now settled, on the Discoveries of *Rawleigh* and others: And in this Reign was form'd the Gun-Powder Conspiracy for blowing up the King and the two Houses of Parliament.

The pious (but unfortunate) King *Charles I.* succeeded his Ancestor *James I.* His Reign began with a Law for punishing diverse Abuses committed on the Lord's Day, called Sunday: A Statute to punish Ale-house-keepers selling Ale without License; and for the further Punishment of Drunkenness: An Act to relieve Captives taken by the *Turks*, and prevent the taking of others hereafter: To raise Mariners and Sailors for Guarding of the Seas, and his Majesty's Dominions; and for raising of Soldiers for the Defence of the Kingdom.

In this Reign Tonnage and Poundage Subsidies, and other Duties upon Merchandizes Exported and Imported, were granted by the Parliament: But the King thought that the Subsidies allow'd him were not sufficient; upon which he attempted to Levy new Taxes without his Parliament, which prov'd fatal to him beyond all Example.

The Parliament and the King had great Misunderstandings; and at last they obliged him to pass a Law that they should not be dis-

diffolv'd but by their own Authority : When this was done, they had Time and Opportunity to work his Destruction ; which by their *long Continuance*, they effectually did ; for a Civil War breaking out, and his Army being routed, he first surrendred himself to the *Scots*, who resign'd him to the Parliament, and they to the *Rump* ; who caused a pretended Court of Judicature to be Erected, and Tried, Condemn'd, and Executed their King.

King *Charles II.* on his Father's Death, was for many Years kept from the Possession of the Crown, till the People had found a Commonwealth the greatest Tyranny ; and then, upon his sending a Declaration from *France*, to the Parliament of *England*, promising Liberty of Conscience in Religion, Pardon to all Offenders, and Satisfaction to all Interests, they voted him Thanks and Invited him to return to his Kingdoms. On his Majesty's Restoration, the Bishops who had been Depriv'd by the Protector *Cromwel*, were restored ; the Common-Prayer (long suppress'd) was order'd to be read again in Churches ; and the following Laws and Statutes were Enacted.

A Statute for Restraining of Excessive Usury ; for the confirming of Judicial Proceedings, and several Acts made during the Usurpation ; for taking away the Court of Wards and Liveries, and Tenures *in Capite*, and by Knight's Service, &c. An Act for the At-

tainer of several Persons guilty of the Murder of King *Charles I.* and for vesting their Estates in his Majesty: An Act for the Safety and Preservation of his Majesty's Person and Government, declaring it Treason to intend Restraint to the King, or to depose him, incite an Invasion, &c. and that no Legislative Power is in either or both Houses of Parliament without the King.

An Act for a free and voluntary Present to his Majesty; which has this Proviso, "That
 " no Commissions or Aids of this Nature
 " can be Issued out or Levied, but by Authority of Parliament; and that this Act
 " and Supply hereby granted shall not be
 " drawn into Example for the future." A Subsidy of Tonnage and Poundage, and other Sums of Money payable for Merchandize, granted to the King for Life; and a Statute pass'd for Prevention of Frauds and Concealments in the Customs: A Duty of Excise on Beer, Ale, and other Liquors, given to the King during his Life; Brewers to make Entries, &c. and not to keep any private Storehouse under the Penalty of 50*l.* A Wine-Licence was granted; and a Post-Office Erected.

A Statute for the Establishing Articles and Orders, for the regulating and better Government of his Majesty's Navies, Ships of War, and Forces by Sea: An Act declaring the sole Right of the Militia to be in the King, and Deputy Lieutenants of Counties to be appointed by his Majesty: No Persons
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to Petition for altering any establish'd Law in Church or State, in a tumultuous Manner, without the Consent and Concurrence of three or more Justices of the Peace: An Act for the well governing and regulating Corporations: For enlarging and repairing of common Highways, and making of Assessments for the same: For the better Relief of the Poor of this Kingdom, whereby Persons coming into Parishes and Renting under 10*l.* a Year are not Parishioners; but Poor Persons may go into other Parishes for Work and Employment by Certificate.

Printing was regulated by an Act pass'd in this Reign; and Books and Pamphlets to be Licens'd. None to Resort to Conventicles, under Penalties: Cattle not to be Imported from *Ireland*, and other Parts beyond the Seas; nor Fish, taken by Foreigners: All Persons to be buried in Woolen, on Pain of 5*l.* An Act for Encouraging of Coynage, and appointing Duties to defray the Expence of the Mint: A Statute for Rebuilding the City of *London*, directing the Streets, Lanes, &c. and Manner of Building; and an Act for Erecting a Court of Judicature to determine Differences touching Houses burnt and destroy'd by the *Fire of London*.

Persons for whose Lives any Estates have been granted, being absent Seven Years, and no Proof made of their being alive, to be accounted dead. The King, by Letters Patent, to grant Fee Farm-Rents, in Right of
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his Crown; Poor distressed Prisoners in Prison for Debt, on making Oath they have not Substance of 10 *l.* Value to satisfy their Creditors, to be discharg'd from Imprisonment: This, I think, was the first Act of Grace: Lords of Manors to appoint their Gamekeepers for Preservation of the Game, who may seize Guns and Dogs of Persons not qualified to keep them; and the Qualification is an Estate of 100 *l. per Annum* of Inheritance or for Life.

Acts were now made for the better ordering the Forces in the several Counties of this Kingdom, whereby Soldiers were not to be quarter'd upon Persons without their Consent: For the Encouragement of Trade, and Plantations; for regulating the Herring and other Fisheries; and to preserve Naval Stores: A Statute for Prevention of Frauds and Perjuries, requiring Contracts to be put in Writing, if for any Thing above 10 *l.* Value; Devises of Lands to be in Writing, attested by three or four credible Witnesses; and all Grants, Leases, &c. also to be put in Writing: An Act for the King's most Gracious General and Free Pardon; and an Act for the better securing the Liberty of the Subject.

This last is the *Habeas Corpus* Act, dear to all Englishmen: For besides the Liberty of removing from one Prison to another, in Case of Actions of Debt; it ordains, that Persons committed to Prisons for Capital Crimes, shall be brought to Trial the first Week of
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the Term, or Day of the Sessions ; and if they are not Indicted the next Term or Sessions, upon Motion they shall be admitted to Bail ; (unless the King's Witnesses are not ready) and if they are not tried the Second Term, &c. they are to be discharg'd.

In this Reign it was Enacted, that Parliaments should be held once in three Years, at least ; and Peers and Members of Parliament were to take the Oaths before they sat in the House, or be adjudg'd *Popish Recusants* : The Parliament granted to this King a great many Supplies ; a Poll-Tax, Hearth-Money, &c. and tho' he was esteem'd an inactive Prince, it must be remember'd that in the Year 1664. his Royal Navy entirely defeated the *Dutch Fleet*, at that Time esteem'd the strongest in the World.

The Reign of King *Charles II.* for the Politeness, and Gallantry of his Courtiers, of his Statesmen, and others about him, was call'd the *Augustan Age* : And if his Pleasures induc'd him to a peaceable Disposition, his Subjects were nevertheless Happy under him.

The Statutes made in the Reign of King *James II.* were but few. The Tonnage and Poundage Duties, Excise, &c. were granted by Parliament ; and other Supplies were voted for Repairs of the Navy, and providing Stores for the Navy and Ordnance, and other his Majesty's Occasions : It was made unlawful to Import Gunpowder, Arms, Ammunition, or Utensils for War, without License from

from the Crown : A Tax was laid upon Coals, for Building of *St. Paul's*; the Care whereof was on the Archbishop of *Canterbury*, the Bishop of *London*, and the Lord Mayor of *London*; And a Duty granted on Foreign Built Ships, employ'd in the Merchandize of this Kingdom, of 5 s. *per Ton*; one Moiety whereof was for the Use of the Chest at *Chatham*, and the other Moiety for *Greenwich* Hospital.

This King Levied Money on the Subject by his Prerogative; and by a barbarous Usage of his Subjects, in several Ways, brought upon himself great Misfortunes: He imprison'd several of the Leading Bishops; Divested many of our Corporations of their Charters; grievously Fined, Whipp'd, and otherwise punish'd his People; and aiming at *Popery* and Arbitrary Power Forfeited his Crown. He promis'd, on his Coming to the Throne, to follow the Example of his Brother, and to preserve the Government in Church and State; but the very next Sunday, after his Accession, he went publickly to Mass.

He assum'd a Power, without his Parliament, of dispensing with Penal Statutes; and Papists were put into Offices Civil and Military; the Protestants were Prosecuted, and the *Roman Catholicks* Encourag'd: Whereupon the Prince of *Orange*, (who had married the Lady *Mary* eldest Daughter to the King) was invited over by the Nobility
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and Gentry of the Kingdom to Defend them in their Rights and Liberties and the Protestant Religion; and King *James* Abdicated the Throne.

The Prince of *Orange* caus'd Letters to be writ, subscrib'd with his own Hand, for the Election of Knights, Citizens and Burgesses, as a *Convention* of the Estates of the Realm, in the Nature of a Parliament; which being assembled, they Enacted and declar'd, that, " Whereas the late King *James* II. by
 " the Assistance of divers evil Counsellors,
 " Judges and Ministers, employ'd by him,
 " did endeavour to Subvert and extirpate
 " the Protestant Religion, and the Laws and
 " Liberties of this Kingdom; by assuming
 " and exercising a Power of Dispensing with,
 " and Suspending of Laws, and the Execu-
 " tion of Laws, without the Consent of Par-
 " liament; by Committing and prosecuting
 " divers worthy Prelates, for humbly Petiti-
 " oning to be excus'd from concurring to
 " the said assum'd Power; by Issuing and cau-
 " sing to be Executed a Commission under
 " the Great Seal, for Erecting a Court for
 " Ecclesiastical Causes; by Levying Money,
 " for and to the Use of the Crown by Pre-
 " tence of Prerogative, for other Time and
 " in other Manner than granted by Parlia-
 " ment; by raising and keeping a Standing
 " Army in Time of Peace, without Consent
 " of Parliament, and Quartering Soldiers con-
 " trary to Law; by causing several good
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“ Subjects, being Protestants, to be disarm’d,
 “ at the same Time as Papists were both
 “ arm’d and employ’d; by violating the
 “ Freedoms of Election of Members to serve
 “ in Parliament; by Prosecutions in the
 “ Court of King’s Bench, for Matters and
 “ Causes cognizable only by Parliament; by
 “ Returns of Jurors, in Trials for High Trea-
 “ son, which were not Freeholders, and re-
 “ quiring excessive Bail to elude the Benefit
 “ of the Laws made for the Liberty of the
 “ Subject; by imposing excessive Fines, and
 “ inflicting illegal and cruel Punishments;
 “ by Grants of Forfeitures before Convicti-
 “ on or Judgment against the Persons upon
 “ whom the same were to be Levied; and
 “ by diverse other arbitrary and illegal Cour-
 “ ses, All which are utterly and directly con-
 “ trary to the known Laws, Statutes and
 “ Freedom of this Realm.

And whereas the said late King *James II.*
 hath Abdicated the Government, and the
 Throne being thereby vacant; having an
 entire Confidence in the Prince of *Orange*,
 They resolv’d, that *William* and *Mary* Prince
 and Princess of *Orange*, be, and be declared
 King and Queen of *England, France and Ire-*
land, for their Lives, and the Life of the Sur-
 vivor of them: And after their Deceases, the
 Crown and Royal Dignity to descend to the
 Heirs of the Body of the said Princess; and
 for Want of such Issue, to the Princess *Anne*
 of *Denmark*, Sister to the Queen, and the
 Heirs

Heirs of her Body. And the Lords and Commons recogniz'd their Majesties, and declar'd, that of Right, and by the Laws of the Realm, they ought to be King and Queen of *England*.

After this, the Princess *Sophia* (Grand-Daughter to King *James I.*) was declar'd by the Parliament, the next in Succession after King *William* and the Princess *Anne* and their respective Issues: The Crown was to remain to the said Princess *Sophia* and the Heirs of her Body being Protestants; and thus was establish'd the *Protestant Succession*.

Other Statutes of this Reign, were Acts for the better securing the Government by disarming of Papists; for empowering their Majesties to commit without Bail such Persons as they should find just Cause to suspect were conspiring against the Government; for punishing Officers or Soldiers who should mutiny or desert their Majesties Service, and for punishing false Musters; for raising the Militia of the Kingdom; for preventing vexatious Suits and Prosecutions against such as acted for their Majesties Service in Defence of the Kingdom; an Act for appointing and enabling Commissioners to examine, take, and state the publick Accounts. And a Statute declaring it High Treason to hold Correspondence with, or remit Money to King *James*, or the pretended Prince of *Wales*.

Persons unlawfully hunting, coursing, or wounding of Deer, are liable to a Forfeiture of 20 *l.* and taking and killing, the Penalty

of 30*l.* or be Imprison'd a Year, and set on the Pillory: The High-ways to be Repair'd, Defaults amended, and Surveyors chosen out of a List of Persons having 10*l.* a Year, or Renters of 30*l.* a Year, or for Want of such, out of the most sufficient Persons: Poor Persons receiving Relief from Parishes to wear Badges; Books of Register of Poor to be kept in every Parish; and Persons coming into a Parish, executing Publick Offices, paying towards Taxes, and unmarried Servants, having no Children, hired for and serving a Year, declared good Settlements.

Devises of Lands, Rents, &c. adjudg'd fraudulent against Creditors; Persons mortgaging Lands twice without discovering the first Mortgage, to lose their Equity of Redemption: Prisoners in the King's Bench and the Fleet Prisons to be detain'd within the same or the Rules thereof; and the Profits of the Marshal and Warden's Places liable to Sequestration for Escape of a Debtor, in upon a Judgment: Several Statutes for calling in and remedying the ill State of the Coin of the Kingdom (the greatest Honour of this Reign, next to the settling of the Protestant Succession) It is made Treason to make any Stamp, Dye, Mold, &c. for Coining, except by Persons employ'd in the Mint; and Felony to colour Metal like Gold and Silver. A Reward of 40*l.* order'd for apprehending Robbers on the Highways.

A new Parliament to be chosen once in three Years, and no Parliament to continue longer

longer than three Years: Candidates not to make Presents to, or treat Electors, after the *Teste* of the Writ; Forty Days to be allow'd between the *Teste* and Return of Writs of Summons to Parliament; Sheriffs three Days after the Receipt of Writs to issue out Precepts to Boroughs, who are to proceed to Election in eight Days, &c. False Returns of Members incur double Damages; and Persons giving any Reward for a false or double Return to forfeit 300 *l.* Actions may be prosecuted against Persons entitled to Privilege, after Dissolution or Prorogation, and after Adjournment for above 14 Days.

Jurymen to have 10 *l. per Annum* Freehold or Copyhold, and Talesmen 5 *l.* a Year. Persons failing in the Payment of small Tythes under 40 *s.* to be obliged by Justices of the Peace; who have Power on Complaints to summon the Party, examine and determine: Two Thirds in Number and Value of Creditors to compound Debts with Debtors (repeal'd) Inland Bills of Exchange to be Protected, on Non-payment; and Promissory Notes for Payment of Money to a Person or Bearer, to be good in Law and assignable over as Inland Bills of Exchange: An Act to prevent throwing or firing of Squibs under Penalties; and a Law for suppressing of Blasphemy and Prophaneness.

A Statute was now also made for Suppression of Pirates, who are to be tried at Sea or upon the Land, by a Court of Admiralty

ralty appointed by Commission; Combining to yield up Ships to Pirates, setting out Pirates, concealing them, or receiving their Goods, adjudg'd Piracy: All Seamen to pay 6 *d.* per Month to *Greenwich* Hospital; and Register'd Seamen, Watermen, &c. disabled for Service, to be admitted into the Hospital and provided for: Watermen of *London* made a Company, under the Governance of the Lord Mayor and Court of Aldermen: Eight Hundred Coaches and Two Hundred Chairs to be Licens'd in *London* and *Westminster*; and their Fare appointed.

Poor Prisoners for Debt were in this Reign, freed from their Imprisonment; and some other good Laws were made: But as this was a Reign of War, it produc'd a great many more Taxes than any other; A Land Tax from 1 *s.* to 4 *s.* in the Pound, a Poll Tax, a Stamp Duty, a Duty on Windows, on Leather, a Tax on Burials, Births, Marriages and Batchelors, were granted by the Parliament; as a certain great Wit observ'd, we were taxed from Head to Foot. All Persons in Office, Members of Universities, Lawyers, &c. were to take the Oath of Abjuration of the Pretender, or be disabled to enjoy their Places or to Practise, and be incapable to sue in Law or Equity, or to be Guardian or Executor to any, and to forfeit the Sum of 500 *l.*

And effectually to suppress the remaining Seeds of *Papery*, it was Enacted in this King's Time

Time, that Persons educated in the *Roman* Catholick Religion, not taking the Oaths when they come to Age, shall be disabled to inherit the Lands of their Ancestors, and the next Protestant Heir to enjoy their Estates during their Lives. The Parliament of King *William* enter'd into an Association to defend his Majesty's Person and Government against Plots and Conspiracies.

In the Reign of the glorious Queen *Anne*, several excellent Statutes were Enacted: An Act for the Finishing and Adorning the Cathedral Church of *St. Paul's*: A Statute for punishing of Accessories to Felony, and Receivers of stolen Goods, and to prevent the wilful Burning and Destroying of Ships, which is made Felony: An Act for the Encouragement and Increase of Seamen and Navigation: for the discharging out of Prison Insolvent Debtors who shall be willing to serve in the Fleet or Army; and Acts for Raising Recruits for the Land-Forces and Marines; for punishing Mutiny, Desertion, and false Musters, and for the better Payment of the Army and Quarters: Justices of Peace had Power to issue their Warrants for idle Persons, and deliver them over to Officers to Recruit the Army.

Deeds and Conveyances of Mannors, Lands, Tenements and Hereditaments in the County of *York*, and in *Middlesex*, to be Registred, or to be void: It were to be wish'd this Law was more general, for the Suppression of Frauds:

Frauds : An Act for the Amendment of the Law, and the better Advancement of Justice : To prevent Frauds committed by Bankrupts, making it Felony to conceal their Effects ; and a Law for the better Collecting of Charity-Money on Briefs, and preventing Abuses relating to such Charities, the Sums Collected, Place and Time, are to be Indors'd in Words at Length, and Sign'd by the Minister and Churchwardens, who are to deliver the Brief and the Money Collected to the proper Persons, under the Penalty of 20 £.

An Act for the better Preservation of the Game ; Higlers, Chapmen, Carriers, Victuallers, &c. having in their Custody or selling Hares, Pheasant, Partridge, or other Game, to forfeit 5 £. To prevent the Laying of Wagers relating to the Publick : To preserve the Privileges of Ambassadors and Publick Ministers, of Foreign Princes, prohibiting Arrests of them or their Servants : And for the better Prevention of Mischiefs that may happen by Fire, whereby Servants thro' Negligence causing any House to be burnt, are to forfeit 100 £. or be committed to the Workhouse for 18 Months ; Engines to be kept, and Fire-Cocks to be fix'd at proper Places.

Authors of Books already Printed, and Booksellers who have purchas'd Copies already Printed, to have the sole Right of Printing them for 21 Years ; and of Books not yet Printed, the Time is limited to 14 Years ; the Archbishop of *Canterbury*, Lord Chancellor, &c.

to Reform unreasonable Prices of Books. Mayors of Towns to set the Prices of Bread; and if they find any wanting in Weight, or deficient in Goodness, they may seize the same and give it to the Poor. A Reward order'd from 10 to 20,000 *l.* for Discovery of the Longitude at Sea: A Law was made to restrain Gaming, declaring Securities for Money won at Play, void; and if any Person lose by Gaming at one Time 10 *l.* he may recover the same from the Winner: And an Act was granted for the punishing of Vagabonds, wherein Wandering Patent-Gatherers, Fencers, Players of Interludes, &c. are declar'd Vagrants.

To attempt to kill a Privy Councillor in the Execution of his Office is made Felony. Persons qualified to be Members of Parliament are to have an Estate of Freehold or Copyhold of 600 *l. per Annum*, a Knight of the Shire, and 300 *l.* a Year a Citizen and Burges; Collusive Grants not to be made to multiply Votes for Election of Knights of the Shire: On the Demise of her Majesty, or any King or Queen, the Parliament to continue, and all Grants, Offices, &c. to be in Force Six Months; the next Protestant Heir to the Crown to be proclaim'd, and Persons endeavouring to deprive the next in Succession from succeeding, to be guilty of High Treason.

Acts of Grace for Releasing poor Prisoners were made and pass'd by this Queen; also Acts for Securing the Church of *England*, and to prevent the Growth of Schism; for making more Effectual her Majesty's

gracious Intentions for Augmenting of the Maintenance of the poor Clergy, by enabling her to grant the Revenues of First Fruits and Tenths for that Purpose; for the better Maintenance of Curates, &c. which, with the Act for Building 50 new Churches, have given her the Name of the Pious Queen *Anne*.

A Land Tax was granted and continu'd in this Reign; with several Duties, on Windows, Soap, Candles, &c. and at this Time Liberty was given to the South-Sea-Company, and other Corporations, to carry on a Trade, and Encourage the Fishery; tho' these Companies had not then the Powers they have had since, nor did they make that Use of the Powers they had granted them, as has been done in later Times.

The many great and glorious Actions of this Queen's Reign, are too fresh Imprinted in every one's Memory to need any particular Mention: The greatest King of *France* that ever liv'd, was Subdu'd and brought to Peace; and the greatest Victories that ever were known obtain'd by our Armies, of which *Ramellies* and *Blenheim* can witness; but the greatest Transaction of the Queen, in Parliament, was the UNION of *Scotland*; a Thing attempted in many Reigns, but wholly reserv'd for her late Majesty.

Upon the Death of the Queen, his present Majesty King *George*, as the next Protestant Heir by the Act of Settlement, was advanc'd to the Crown: And the chief Acts hitherto made

made in his Reign are the following: An Act to extinguish the Hopes of the Pretender and his Friends, ordering 100, 000 *l.* Reward for the Apprehension of the Pretender: An Act to explain the Statute made in the Twelfth Year of the Reign of King *William*, Entitled an Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject: An Act for Repealing so much of the Act of the 12th and 13th of King *William* intituled An Act for the further Limitation of the Crown, &c. as Enacts, That no Person who shall come to the Possession of the Crown, shall go out of *England* without Consent of Parliament.

A Statute to impower his Majesty to secure and detain such Persons as his Majesty shall suspect are conspiring against his Person and Government: An Act to Indemnify such Persons who have acted in Defence of his Majesties Person and Government, and for the Preservation of the Peace, during the Time of the late Rebellion, from vexatious Suits and Prosecutions: An Act for enlarging the Time of Continuance of Parliaments, from three Years to Seven Years: An Act to prevent Tumults and Riotous Assemblies, making Rioting Felony: And an Act for the Transportation of Felons, within the Benefit of Clergy.

An Act for strengthening the Protestant Interest in these Kingdoms: An Act for the punishing of Mutiny and Desertion, and the better Payment of the Army: An Act to prevent

vent Disturbance by Seamen, and for the Increase of Naval Stores: An Act for Regulating of Pilots: The Quarentine Act for Prevention of the Plague being brought into this Kingdom; and the Act of Repeal of the Clauses in it, relating to Barracks, casting Lines round Towns, &c.

An Act for the Relief of Insolvent Debtors: An Act for enlarging the Capital Stock of the South Sea Company, and for Raising Money to be applied for lessening of the publick Debts: An Act for Raising Five Hundred Thousand Pounds, upon the Civil List, Revenues, by charging Annuities of *5 l. per Cent.* till Redeem'd by the Crown: An Act for granting the *Quakers* such Forms of Affirmation as may remove the Difficulties many of them lie under.

These are the Chief of the Laws and Statutes of the present Reign, (besides those that have been made for granting of Taxes) on which I forbear to make any Comment, there having been already sufficient Animadversions upon them; particularly in a Treatise entitled, *A Compleat History of the late Septennial Parliament.* I shall therefore only make this general Reflection, that all Parliaments have in some Measure Erred, but, as to Liberty and Property, and every Thing else affecting the Welfare of the People, none perhaps so much, so openly, and so barefac'd, as a Parliament we had lately in Power.

F I N I S.



